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Date: (Filing No. H- )

**HEALTH AND HUMAN SERVICES**

Reproduced and distributed under the direction of the Clerk of the House.

**STATE OF MAINE  
HOUSE OF REPRESENTATIVES  
130TH LEGISLATURE  
FIRST SPECIAL SESSION**

COMMITTEE AMENDMENT “ ” to H.P. 1085, L.D. 1469, “Resolve, To Give Direct Service Providers Hazard Pay and To Pay Additional COVID-19 Pandemic Costs”

Amend the resolve by striking out the title and substituting the following:

**'Resolve, To Provide Add-on Payments for Ambulance Services Reimbursed by the MaineCare Program and To Increase Reimbursement Rates for Physical Therapy and Occupational Therapy under the MaineCare Program'**

Amend the resolve by striking out everything after the title and inserting the following:

**'Sec. 1. Department of Health and Human Services to apply Medicare add-ons to MaineCare rates for ambulance services. Resolved:** That, no later than October 1, 2021, the Department of Health and Human Services shall amend its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 5, Ambulance Services, to provide additional add-on supplements for ambulance services that are equivalent to payments required under Medicare ambulance services under 42 United States Code, Section 1395m(l). The department shall use the same geographic zip codes applicable for rural, urban and super rural payments as established by 42 United States Code, Section 1395m(l) and related federal rules. Rules adopted pursuant to this section are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter 2-A.

**Sec. 2. Cost-based reimbursement work group for ambulance services. Resolved:** That the Department of Health and Human Services shall convene a work group to consider the feasibility and cost of implementing cost-based reimbursement for ambulance services provided to MaineCare members. The work group must include representatives of the Emergency Medical Services' Board within the Department of Public Safety, the Maine Ambulance Association and ambulance providers. The department shall submit a report, with recommendations, to the Joint Standing Committee on Health and Human Services no later than January 15, 2022. The committee is authorized to report out legislation related to the recommendations.

**COMMITTEE AMENDMENT**

1           **Sec. 3. Department of Health and Human Services to increase MaineCare**  
 2 **reimbursement rates for occupational and physical therapy. Resolved:** That,  
 3 no later than October 1, 2021, the Department of Health and Human Services shall amend  
 4 its rules in Chapter 101: MaineCare Benefits Manual, Chapter III, Section 68, Occupational  
 5 Therapy Services, and Section 85, Physical Therapy Services, to increase reimbursement  
 6 rates for occupational therapy and physical therapy services to no less than 70% of the  
 7 federal Medicare reimbursement rate for these services as long as the rate is no lower than  
 8 the rate reimbursed as of January 1, 2021. Rules adopted pursuant to this section are routine  
 9 technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter  
 10 2-A.

11           **Sec. 4. Appropriations and allocations. Resolved:** That the following  
 12 appropriations and allocations are made.

13 **HEALTH AND HUMAN SERVICES, DEPARTMENT OF**

14 **Medical Care - Payments to Providers 0147**

15 Initiative: Provides funding to set the reimbursement rates for occupational therapy and  
 16 physical therapy services under the Department of Health and Human Services rule Chapter  
 17 101: MaineCare Benefits Manual, Chapter III, Sections 68 and 85 at 70% of the federal  
 18 Medicare reimbursement rate as long as the rate is no lower than the rate in effect on  
 19 January 1, 2021.

20	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
21	All Other	\$1,549,468	\$2,083,174
22			
23	<b>GENERAL FUND TOTAL</b>	<u>\$1,549,468</u>	<u>\$2,083,174</u>

25	<b>FEDERAL EXPENDITURES FUND</b>	<b>2021-22</b>	<b>2022-23</b>
26	All Other	\$2,754,611	\$3,655,598
27			
28	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$2,754,611</u>	<u>\$3,655,598</u>

29 **Medical Care - Payments to Providers 0147**

30 Initiative: Provides funding for the Department of Health and Human Services to amend  
 31 rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 5, Ambulance Services,  
 32 to provide additional add-on supplements that are equivalent to payments required under  
 33 Medicare ambulance services under 42 United States Code, Section 1395m(l).

34	<b>GENERAL FUND</b>	<b>2021-22</b>	<b>2022-23</b>
35	All Other	\$243,828	\$327,814
36			
37	<b>GENERAL FUND TOTAL</b>	<u>\$243,828</u>	<u>\$327,814</u>

39	<b>FEDERAL EXPENDITURES FUND</b>	<b>2021-22</b>	<b>2022-23</b>
40	All Other	\$477,856	\$634,432
41			
42	<b>FEDERAL EXPENDITURES FUND TOTAL</b>	<u>\$477,856</u>	<u>\$634,432</u>

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**HEALTH AND HUMAN SERVICES,  
DEPARTMENT OF  
DEPARTMENT TOTALS**

	<b>2021-22</b>	<b>2022-23</b>
<b>GENERAL FUND</b>	<b>\$1,793,296</b>	<b>\$2,410,988</b>
<b>FEDERAL EXPENDITURES FUND</b>	<b>\$3,232,467</b>	<b>\$4,290,030</b>
<b>DEPARTMENT TOTAL - ALL FUNDS</b>	<b>\$5,025,763</b>	<b>\$6,701,018</b>

Amend the resolve by relettering or renumbering any nonconsecutive Part letter or section number to read consecutively.

**SUMMARY**

This amendment replaces the resolve. The amendment requires the Department of Health and Human Services to amend rule Chapter 101: MaineCare Benefits Manual, Chapter III, Section 5 no later than October 1, 2021 to provide add-on payments for ambulance services that are based on the same geographic urban, rural and super rural zip codes that are used for Medicare ambulance reimbursement. The amendment also requires the Department of Health and Human Services to convene a work group to consider the feasibility and cost of implementing cost-based reimbursement for ambulance services provided under the MaineCare program.

The amendment also sets the reimbursement rates for occupational therapy and physical therapy services under Department of Health and Human Services rule Chapter 101: MaineCare Benefits Manual, Chapter III, Sections 68 and 85 at 70% of the federal Medicare reimbursement rate no later than October 1, 2021, as long as the rate is no lower than the rate in effect on January 1, 2021.

The amendment includes an appropriations and allocations section.

**FISCAL NOTE REQUIRED**  
**(See attached)**